UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

;)	
)	NO. 3:09-00240
)	
·)	JUDGE NIXON
•)	

ORDER

The Court has previously granted the defendant's motion for a competency examination to determine whether he is capable of adequately assisting his counsel (Order: Docket Entry 2391; Defendant's Motion: Docket Entry 2385). This Order further clarifies that Order at the request of the United States Marshals Service so the defendant can be transported to obtain that examination.

Based on the defendant's motion, the Court finds reasonable cause to believe that the Defendant may presently be suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to assist properly in his defense. Pursuant to 18 U.S.C. §§ 4241 and 4247, Rule 12.2(c) of the Federal Rules of Criminal Procedure, and the inherent powers of the Court, the Defendant is remanded to the custody of the Attorney General for placement in a suitable facility for a reasonable period, not to exceed thirty (30) days, for a determination of the Defendant's mental competency to assist properly in his defense. 18 U.S.C. § 4247(b). Pursuant to 18 U.S.C. § 4247(b), a reasonable extension, not to exceed fifteen (15) days, may be granted upon a showing of good cause that additional time is necessary to observe and evaluate the Defendant. The United States Marshals Service shall transport the defendant to and from a suitable facility for the purposes of such an examination.

Pursuant to 18 U.S.C. § 4247(c), a report shall be prepared as a result of this examination and "shall be filed with the court with copies provided to the counsel for the person examined and to the

attorney for the Government," absent further order of the Court. Id.

It is so ORDERED.

Entered this \(\) day of September, 2013.

JOHN T. NIXON, SENIOR JUDGE UNITED STATES DISTRICT COURT

APPROVED FOR ENTRY:

s/ Sunny A.M. Koshy SUNNY A.M. KOSHY Assistant United States Attorney

s/ Francis Lloyd FRANCIS LLOYD Attorney for Brice Marchbanks